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PTO/SB/21 (09-04)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE der the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/687,783 Filing Date TRANSMITTAL October 17, 2003 First Named Inventor **FORM** Richard R. Heuser Art Unit 3738 **Examiner Name** Suzette Jaime J. Gherbi (to be used for all correspondence after initial filing) Attorney Docket Number **HEU 309** Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Notice of Appeal Request for Refund **Express Abandonment Request** CD, Number of CD(s)_ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Koljsch Hartwell, P.C. Signature Printed name Owen W. Dukelow Date Reg. No. 41.002 August 18, 2005 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature ewsper Date August 18, 2005 Merissa R. Thompson Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Docket Number (Optional)		
NOTICE OF APPEAL FROM THE EXAMINER TO				
THE BOARD OF PATENT APPEALS AND INTERFERENCES		HEU 309		
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"Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-	Application N		Filed	
1450" [37 CFR 1.8(a)] August 18, 2005	10/687,78	33	October 17, 2003	
Mariano Thomas For STENT		WITH COVERING AND DIFFERENTIAL DILATION		
Signature /// COSSOC // COMPSOC	Art Unit	Ex	Examiner	
Typed or printed name Merissa R. Thompson	3738	s	Suzette Jaime J. Gherbi	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.				
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))			500.00	
Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 250.00				
A check in the amount of the fee is enclosed.				
Payment by credit card. Form PTO-2038 is attached.				
The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.				
The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 11-1540 . I have enclosed a duplicate copy of this sheet.				
A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.				
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
I am the				
applicant/inventor.	Signature			
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.		Owen W. Dukelow		
(Form PTO/SB/96)		Typed or printed name		
attorney or agent of record. Registration number 41,002		(503)	224-6655	
		Telephone number		
attorney or agent acting under 37 CFR 1.34.		August 18, 2005		
Registration number if acting under 37 CFR 1.34.		Date		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.				

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

*Total of

forms are submitted.